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LERNER GREENBERG STEMER LLP P O BOX 2480 HOLLYWOOD, FL 33022-2480			LIU, I JUNG	
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			3691	

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/997,049

Applicant(s)

OFFER, GERO

Examiner

Marissa Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/20/2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4, 6-11, 13-15, 18, and 20 are rejected under 35 U.S.C. 102(b) as being unpatentable by Muehlberger et al., U.S. Patent No. 6,032,859 (see form PTO-892, Reference A).
3. As per claim 1, Muehlberger et al. teaches a method for increasing a prepaid amount associated with an electronic prepaid account, which comprises: generating, by an operator of a prepaid account, access software (see column 2, lines 31-32) that can be read by a non-specialized card reader of a card payment system (see abstract); reading the access software (see column 2, lines 31-32) with the card reader in conjunction with receiving an amount in cash from the owner of the prepaid account (see abstract, Figs. 5-6); transferring identification data of the owner of the prepaid account together with a value of the amount to an account server holding the prepaid account (see column 4, lines 7-20); and increasing, by the value of the amount, a prepaid amount that is associated with the prepaid account (see column 12, lines 16-25).
4. As per claim 2, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches the method which comprises associating the prepaid account with telecommunications services such that when the telecommunications services are

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performed, the prepaid account will be debited (see column 7, lines 46-67 and column 8, lines 1-4).

5. As per claim 4, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches the method which comprises: with the account server, checking the identification data and generating an electronic paid-in receipt (see column 4, lines 7-20); transmitting the electronic paid-in receipt to the card reader (see column 4, lines 7-20); and with the card reader, performing an operation selected from the group consisting of displaying the receipt, storing the receipt (see column 3, lines 44-48, where “the receipt, it being of a duplicate form, gives one to the customer and keeps one for the ash register” is equivalent of “displaying the receipt, storing the receipt”), and printing the receipt (see Fig. 5).

6. As per claim 6, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches the method which comprises, with the card reader, printing out a first copy of the receipt for the owner of the prepaid account and a second copy of the receipt for an operator of the card reader (see column 3, lines 44-48, where “the receipt, it being of a duplicate form, gives one to the customer and keeps one for the ash register” is equivalent of “a first copy of the receipt for the owner of the prepaid account and a second copy of the receipt for an operator of the card reader”).

7. As per claim 7, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches the method which comprises: transferring the identification data (see column 4, lines 7-20) and the value of the amount to the account server via a public telecommunications network (see column 8, lines 27-37).

8. As per claim 8, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches the method which comprises: providing the identification data with an identifier for a service that the prepaid account is used to pay for (see Figs. 2 and 5).

9. As per claim 9, Muehlberger et al. teaches the method according to claim 8 described above. Muehlberger further teaches the method which comprises: providing the identification data with a call number (see column 4, lines 40-43) of a telecommunications network that is used by the owner of the prepaid account (see column 7, lines 46-65).

10. As per claim 10, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches the method which comprises: manually inputting further data in conjunction with the step of reading the access software (see Figs. 2-3 and column 3, lines 25-32).

11. As per claim 11, Muehlberger et al. teaches the method according to claim 10 described above. Muehlberger further teaches the method wherein the further data is selected from the group consisting of a call number (see column 4, lines 40-43) of a telecommunications network used by the owner of the prepaid account (see column 1, lines 61-66) and authentication data of the owner (see fig. 2-3).

12. As per claim 13, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches the method provides the access software (see column 2, lines 31-32) on an access card (see abstract and Fig. 3).

13. As per claim 14, Muehlberger et al. teaches a configuration for allowing an owner of an electronic account to increase a prepaid amount associated with the electronic account, comprising: a non-specialized card reader unit designed to read in cards selected from the group

consisting of conventional prepaid cards and conventional credit cards (see abstract), said card reader unit designed for inputting a paid-in amount (Fig. 6); an account server (see abstract) for administering a prepaid account; a communication link between said card reader and said account server, said communication link selected from the group consisting of a telecommunications link and a data link (see abstract and column 1, lines 48-67); a carrier having an access software product (see column 2, lines 31-32) that can be read by said card reader (see abstract, Figs. 2-3); said account server including a receiving and processing unit designed to receive the paid-in amount that is input at said card reader (see abstract, Figs. 2); said receiving and processing unit also designed to receive identification data selected from the group consisting of data that is read by said card reader unit and data that is input manually (see Fig. 6).

14. As per claim 15, Muehlberger et al. teaches claim 14 described above. Muehlberger et al. further teaches wherein said carrier is an access card (see Fig. 2).

15. As per claim 18, Muehlberger et al. teaches claim 14 described above. Muehlberger et al. further teaches communications link is a public telecommunications network connecting said card reader unit to said account server (see abstract and column 7, lines 46-67).

16. As per claim 20, Muehlberger et al. teaches claim 14 described above. Muehlberger et al. further teaches card reader unit is formed in a device selected from the group consisting of a cash (see column 3, lines 47-52) system and an internet-capable PC (see abstract).

#### ***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muehlberger et al., U.S. Patent No. 6,032,859 (Reference A of PTO-892) as applied to claim 1 above, and in view of Klapka, U.S. Patent No. 5,915,007 (Reference B of PTO-892).

19. As per claim 3, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches transferring the identification data and the value of the amount (see abstract); and processing the identification data and the value of the amount (see Fig. 5).

Muehlberger does not teach to the account server essentially in real time.

Klapka further teaches to the account server (see column 1, 64-67) essentially in real time (see column 7, lines 12-28).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add real time feature to the method of Muehlberger et al. because Klapka teaches that adding real time feature helps providing improved method and system for using a frequent shopper card as a phone calling card (see column 1, lines 55-60 of Klapksa).

20. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muehlberger et al., U.S. Patent No. 6,032,859 (Reference A of PTO-892) as applied to claim 4 above, and in view of Klapka, U.S. Patent No. 5,915,007 (Reference B of PTO-892).

21. As per claim 5, Muehlberger et al. teaches the method according to claim 4 described above.

Klapka further teaches method comprises performing the checking and generating step in essentially real time (see column 7, lines 12-28).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add real time feature to the method of Muehlberger et al. because Klapka teaches that adding real time feature helps providing improved method and system for using a frequent shopper card as a phone calling card (see column 1, lines 55-60 of Klapksa).

22. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muehlberger et al., U.S. Patent No. 6,032,859 (Reference A of PTO-892), in view of Reeder, U.S. Patent No. 6,014,636 (Reference C of PTO-892).

23. As per claim 12, Muehlberger et al. teaches the method according to claim 1 described above. Muehlberger further teaches the method with checking the identification data and evaluating the value of the amount (see Figs 2, 5 and column 8, lines 27-37); depending on a result of the checking and evaluating, generating a collection signal for collecting the value of the amount in favor of the operator of the prepaid account (see Figs. 2-6); and transferring the collection signal to a third-party bank server that is responsible for clearing the value of the amount (see column 3, lines 25-46).

Muehlberger does not teach a gateway server of the card payment system.

Reeder further teaches a gateway server of the card payment system (see column 5, lines 26-33, where "server to the network gateway" is equivalent of "gateway server").

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add gateway server to the method of Muehlberger et al. because Reeder teaches that adding gateway server helps customer continue in the ITV home shopping application (see column 5, lines 63-65).



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24. Claims 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muehlberger et al., U.S. Patent No. 6,032,859 (Reference A of PTO-892) as applied to claim 14 above, and in view of Reeder, U.S. Patent No. 6,014,636 (Reference C of PTO-892).

25. As per claim 16, Muehlberger et al. teaches claim 14 described above. Muehlberger et al. further teaches said account server having a receipt transmitting unit designed to transmit an electronic paid-in receipt to said card reader unit (see abstract and Fig. 5-6).

Muehlberger et al. does not teach the gateway server.

Reeder further teaches the gateway server (see column 5, lines 26-33, where “server to the network gateway” is equivalent of “gateway server”).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add gateway server to the configuration of Muehlberger et al. because Reeder teaches that adding gateway server helps customer continue in the ITV home shopping application (see column 5, lines 63-65).

26. As per claim 19, Muehlberger et al. teaches claim 14 described above. Reeder further teaches the configuration comprising: a gateway server (see column 5, lines 26-33, where “server to the network gateway” is equivalent of “gateway server”) having a collection signal transmitting unit for generating a collection signal (see column 3, lines 32-43); and a third-party bank server; said gateway server having means for setting up an at least temporary connection to said third-party bank server for transmitting the collection signal to said bank server (see column 5, lines 20-35).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add gateway server to the configuration of Muehlberger et al. because

Reeder teaches that adding gateway server helps customer continue in the ITV home shopping application (see column 5, lines 63-65).

27. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muehlberger et al., U.S. Patent No. 6,032,859 (Reference A of PTO-892) as applied to claim 14 above, and in view of Reeder, U.S. Patent No. 6,014,636 (Reference C of PTO-892).

28. As per claim 17, Muehlberger et al. teaches claim 16 described above. Reeder further teaches the configuration wherein: said communications link is a public telecommunications network connecting said card reader unit and said gateway server to said account server (see column 19-35).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add gateway server to the configuration of Muehlberger et al. because Reeder teaches that adding gateway server helps customer continue in the ITV home shopping application (see column 5, lines 63-65).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Liu whose telephone number is 571-270-1370. The examiner can normally be reached on First Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick James Nolan can be reached on 571-270-0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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